

**IN THE UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF ARIZONA**

IN RE BARD IVC FILTERS  
PRODUCTS LIABILITY LITIGATION

No. MD-15-02641-PHX-DGC

**MASTER SHORT FORM COMPLAINT FOR  
DAMAGES FOR INDIVIDUAL CLAIMS**

Plaintiff(s) named below, for their Complaint against Defendants named below, incorporate the Master Complaint for Damages in MDL 2641 by reference (Doc. 364).

Plaintiff(s) further show the Court as follows:

1. Plaintiff/Deceased Party:

Timothy J. Hammill

2. Spousal Plaintiff/Deceased Party's spouse or other party making loss of consortium claim:

3. Other Plaintiff and capacity (i.e., administrator, executor, guardian, conservator):

4. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the time of implant:

Michigan

5. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the time of injury:

Michigan

6. Plaintiff's current state(s) [if more than one Plaintiff] of residence:

Michigan

7. District Court and Division in which venue would be proper absent direct filing:

Michigan Western District Ct

8. Defendants (check Defendants against whom Complaint is made):

- ☒ C.R. Bard Inc.  
☒ Bard Peripheral Vascular, Inc.

9. Basis of Jurisdiction:

☒ Diversity of Citizenship

☐ Other: \_\_\_\_\_

- a. Other allegations of jurisdiction and venue not expressed in Master Complaint:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

10. Defendants' Inferior Vena Cava Filter(s) about which Plaintiff(s) is making a claim (Check applicable Inferior Vena Cava Filter(s)):

☐ Recovery<sup>®</sup> Vena Cava Filter

☐ G2<sup>®</sup> Vena Cava Filter

- ☐ G2<sup>®</sup> Express (G2<sup>®</sup> X) Vena Cava Filter
- ☐ Eclipse<sup>®</sup> Vena Cava Filter
- ☐ Meridian<sup>®</sup> Vena Cava Filter
- ☒ Denali<sup>®</sup> Vena Cava Filter
- ☐ Other: \_\_\_\_\_

11. Date of Implantation as to each product:

December 23, 2013

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12. Counts in the Master Complaint brought by Plaintiff(s):

- ☒ Count I: Strict Products Liability – Manufacturing Defect
- ☒ Count II: Strict Products Liability – Information Defect (Failure to Warn)
- ☒ Count III: Strict Products Liability – Design Defect
- ☒ Count IV: Negligence - Design
- ☒ Count V: Negligence - Manufacture
- ☒ Count VI: Negligence – Failure to Recall/Retrofit
- ☒ Count VII: Negligence – Failure to Warn
- ☒ Count VIII: Negligent Misrepresentation
- ☒ Count IX: Negligence *Per Se*
- ☒ Count X: Breach of Express Warranty
- ☒ Count XI: Breach of Implied Warranty
- ☒ Count XII: Fraudulent Misrepresentation

- ☒ Count XIII: Fraudulent Concealment
- ☒ Count XIV: Violations of Applicable\_\_\_\_\_ (insert state)  
Law Prohibiting Consumer Fraud and Unfair and Deceptive Trade Practices
- ☐ Count XV: Loss of Consortium
- ☐ Count XVI: Wrongful Death
- ☒ Count XVII: Survival
- ☒ Punitive Damages
- ☐ Other(s): \_\_\_\_\_ (please state the facts supporting  
this Count in the space immediately below)

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*Attorneys for Plaintiffs*

I hereby certify that on this 30<sup>th</sup> day of May, 2019 I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing.

Respectfully submitted,

**THE GOSS LAW FIRM, P.C.**

**s/Peter E. Goss**

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